

SENATE BILL 2314  
By Miller J

AN ACT to amend Chapter 204 of the Private Acts of 1988 and any other acts amendatory thereto, the same being the charter of the Town of Benton, relative to the election of the board of mayor and commissioners and the organization and personnel of town government.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 204 of the Private Acts of 1988, and all other acts amendatory thereto, is further amended by deleting from the second sentence of Article II, Section 2.01(a) the words and figure "two (2) years" and by substituting instead the words and figure "one (1) year".

SECTION 2. Chapter 204 of the Private Acts of 1988, is further amended by adding the following language as a new subsection (e) to Article II, Section 2.01:

(e) The electors of the town shall be those persons who have been bona fide residents of the town for at least twenty (20) days immediately preceding a town election and who are registered to vote in municipal elections under the general election laws of the state, and those persons who have owned a bona fide and recorded interest in fee simple of real property within the boundaries of the town for at least six (6) months prior to the town election, and who are registered to vote in town elections under the general election laws of the state.

SECTION 3. Chapter 204 of the Private Acts of 1988, as amended, is further amended by deleting Article III, Section 3.01(b), in its entirety and by substituting instead the following new language:

(b) The terms of all officers and employees of the town, except the town attorney, shall be during their good behavior on and off duty, and the terms of officers and employees shall not expire with the terms of the mayor and commissioners. Where the officer or employee is appointed by the board as expressly provided in this charter he shall be removed by the board only for reasonable cause. All other officers and employees shall be appointed and removed by the mayor only for reasonable cause under Section 3.07 of this charter. The town attorney shall serve at the will of the board.

SECTION 4. Chapter 204 of the Private Acts of 1988, is further amended by deleting the first paragraph of Article III, Section 3.07, in its entirety and by substituting instead the following new language:

The appointment and promotion of officers and employees of the town over which the mayor has the power of appointment under this charter shall be on a basis of merit, considering technical knowledge required to perform satisfactorily the work, experience in the particular or similar line of work, and administrative or supervisory qualifications.

SECTION 5. Chapter 204 of the Private Acts of 1988, is further amended by deleting the first sentence in the second paragraph of Article III, Section 3.07, in its entirety and by substituting instead the following new language:

The mayor shall have authority to make promotions and transfers of officers and employees over which he has the power of appointment under this charter, and for reasonable cause to make demotions, suspensions and removals of such officers and employees, and he may delegate such authority to department heads.

SECTION 6. Chapter 204 of the Private Acts of 1988, is further amended by deleting Article III, Section 3.08 in its entirety and by substituting instead the following new language:

The board may by ordinance adopt supplementary personnel rules and regulations governing the appointment, discipline, termination and other employment conditions of officers and employees of the town, both over which it has the power of appointment and over which the mayor has the power of appointment, provided they are not inconsistent

with the provisions of this charter. In the event of any such inconsistencies, this charter shall prevail.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the board of mayor and commissioners of the Town of Benton. Its approval or nonapproval shall be proclaimed by the presiding officer of the board and certified to the secretary of state.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

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